IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 146 OF 2006

Anna @ Kalyan Hanmant Sathe.. .. Applicant.

Versus

The State of Maharashtra. .... Respondent.

Mr. U. R. Agandsurve for the Applicant.

Ms. S. D. Shinde, APP for the State.

CORAM : V. M. KANADE, J.

DATED : 15TH FEBRUARY, 2006.

P.C.:

Heard learned Counsel for the Applicant and the learned APP for the State.

2. The Applicant was arrested in connection with the offence which was registered on 14th August, 2005 for the offence punishable under Section 307 of the Indian Penal Code. It is alleged that the Applicant along with others assaulted the Complainant with a knife and as a result inflicted 6 incised wounds and 3 other serious injuries on his person. It is submitted by the learned Counsel for the Applicant that other

Accused were released on bail by this Court by order dated 21st December, 2005. The Applicant is seeking bail on the ground of parity. Learned APP on the other hand has opposed this application on the ground that the Applicant was the main assailant who had inflicted the serious injury on the person of the victim. However, since now charge sheet has already been filed and other accused are released on bail, in my view, the Applicant is entitled to be released on bail subject to certain conditions being imposed by this Court.

3. In view of the above, the Applicant shall be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The Applicant shall not enter the Village Bibidarphal, Taluka Uttar Solapur, Dist. Solapur till the disposal of the main trial. The Applicant shall furnish his new address to the Superintendent of Jail before his release and shall report to the nearest Police Station from his new address once in a month till the disposal of the main trial.

4. The Application is disposed of in the terms aforesaid.

Sd/-

(V. M. KANADE, J.)